



U.S. Department
of Transportation
**Federal Transit
Administration**

REGION IX
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American Samoa,
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MAY 28 2009

Mr. Patrick Leonard, Field Supervisor
United States Fish and Wildlife Service
300 Ala Moana Boulevard, Room 3-122
Honolulu, HI 96850

Re: Honolulu High-Capacity Transit Corridor
Project

Dear Mr. Leonard:

The Federal Transit Administration (FTA) is preparing the Final Environmental Impact Statement (EIS) for the Honolulu High-Capacity Transit Corridor Project (HHCTCP) and wish to confirm that your expressed concerns on threatened and endangered species and critical habitat have been addressed as required by Section 7 of the Endangered Species Act.

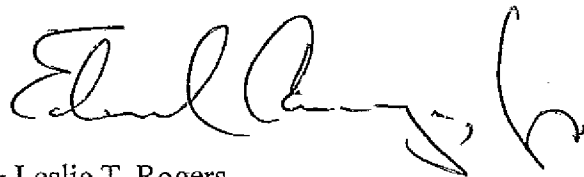
In your April 29, 2008 letter to Mr. Darrell Sommerlatt of Parsons Brinckerhoff and at the January 8, 2009 meeting with City and County of Honolulu Department of Transportation Services (DTS) staff and consultants, the main species of concern was the federally endangered Kooloaula (*Abutilon menziesii*), which occurs in the immediate vicinity of the project corridor. The development of the project area has partially been taken into account in the Service's Biological Opinion/State Habitat Conservation Plan (HCP). We understand that the DTS is in the process of obtaining a Certificate of Inclusion from the Hawaii Department of Transportation (HDOT) and that the DTS and any subsequent landowners who agree to accept transfer of the Certificate of Inclusion must agree to and implement the terms of the plan. Your concerns regarding the proximity of the East Kapolei Station to the Kooloaula contingency reserve established by the HCP include risks associated with increased access to the contingency reserve, increased risk of fire, and increased risk of invasive plants. These will be addressed within the Final EIS and coordinated with the Service and the HDOT. We understand that no separate formal Section 7 consultation for the HHCTCP will be needed for the Kooloaula.

In addition, in your April 29, 2008 letter you noted that the Hawaiian hoary bat, Hawaiian moorhen, Hawaiian coot, Hawaiian stilt and Hawaiian duck have all been observed in the vicinity of the proposed transit corridor. We have completed biological surveys and have evaluated the potential impacts on these species as part of the project. The results of the studies are documented in the Draft EIS and the Ecosystems and Natural Resources Technical Report. The Draft EIS concludes that there will be no impacts to these endangered species.

Based on the information that you have provided to us, coordination with USFWS staff, and field observations, our determination is that there will be "no effect" to threatened and endangered species or designated critical habitat related to this project. We request your concurrence with this determination that this project would not affect any listed species or critical habitat. We also request your concurrence that no separate formal Section 7 consultation we be required to address the concerns regarding the Kooloaula.

Should you have any questions, please contact Mr. Ted Matley at (415) 744-2590.

Sincerely,

A handwritten signature in black ink, appearing to read "Leslie T. Rogers", with a large, stylized flourish at the end.

For Leslie T. Rogers
Regional Administrator

cc: Faith Miyamoto, City and County of Honolulu Department of Transportation Services